

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, JANUARY 23, 2003

Printed daily by the State of Iowa during the sessions of the General Assembly. An official corrected copy is available for reference in the Secretary of the Senate's Office. (The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE SENATE

ELEVENTH CALENDAR DAY
EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 23, 2003

The Senate met in regular session at 8:30 a.m., President Kramer presiding.

Prayer was offered by Reverend David Ruhe, pastor of the Plymouth Congregational Church in Des Moines, Iowa. He was the guest of President Kramer.

The Journal of Wednesday, January 22, 2003, was approved.

RECESS

On motion of Senator Veenstra, the Senate recessed at 8:34 a.m. until 11:45 a.m.

RECONVENED

The Senate reconvened at 11:45 a.m., President Pro Tempore Angelo presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on January 22, 2003, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 4, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Eightieth General Assembly.

Read first time and referred to committee on **Rules and Administration.**

ADJOURNMENT

On motion of Senator Boettger, the Senate adjourned at 12:20 p.m. until 1:00 p.m. Monday, January 27, 2003.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Service Bureau:

January 23, 2003

DEPARTMENT OF NATURAL RESOURCES

Report of the State Preserves Advisory Board for the Biennium 2001–2002, pursuant to Iowa Code section 465C.8.

STATE APPEAL BOARD

Report of claims against the State of Iowa during May 2002–January 2003.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Seventeen Student Senate members from Iowa Central Community College in Fort Dodge, Iowa, accompanied by their advisor David Drissel. Senator Daryl Beall is a past-president of the Iowa Central Community College Student Senate. Senator Beall.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Audrey Carroll, Davenport — For celebrating your 100th birthday on February 4, 2003. Senator Seng (1/23/03).

The Klint and Cheri Cork family, Galva — For being named the recipient of the Iowa Farm Bureau's 2002 Outstanding Young Farmer Achievement Award. Senator Seymour (1/23/03).

Brandon England, Red Oak — For achieving the rank of Eagle Scout, Boy Scout Troop 86. Senator Angelo (1/23/03).

Adam Gebel, New Hampton — For achieving the rank of Eagle Scout, Boy Scout Troop 48. Senator Zieman (1/23/03).

Frieda Guldner, Davenport — For celebrating your 100th birthday on February 10, 2003. Senator Seng (1/23/03).

Melinda Jaster, Elkader — For achieving the highest award for Senior Girl Scouts, "The Gold Award." Senator Rehberg (1/23/03).

PETITION

The following petition was presented and placed on file:

From 170 residents of the Cedar Rapids area, Linn County, Iowa, favoring legislation to allow 17-year-olds to vote in school board elections. Senator Horn.

REPORTS OF COMMITTEE MEETINGS

GOVERNMENT OVERSIGHT

Convened: January 22, 2003, 3:00 p.m.

Members Present: Lundby, Chair; Brunkhorst, Vice Chair; Courtney, Ranking Member; Dvorsky and Wieck.

Members Absent: None.

Committee Business: Update by the Department of Management and presentation by the ITD.

Adjourned: 4:40 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 22, 2003, 3:05 p.m.

Members Present: Zieman, Chair; Holveck, Ranking Member; Rehberg and Stewart.

Members Absent: Sievers, Vice Chair (excused).

Committee Business: Organizational meeting and presentations by Department of Commerce, Department of Management, and ITD.

Adjourned: 4:25 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: January 22, 2003, 3:05 p.m.

Members Present: Tinsman, Chair; Johnson, Vice Chair; Hatch, Ranking Member; Bolkcom and Veenstra.

Members Absent: None.

Committee Business: Presentations by the Department of Elder Affairs, the Department of Public Health, and the Commission on Veterans' Affairs.

Adjourned: 5:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 22, 2003, 3:05 p.m.

Members Present: Miller, Chair; Angelo, Vice Chair; Fraise, Ranking Member; Hosch and Kreiman.

Members Absent: None.

Committee Business: Presentation by David Boyd, Deputy State Court Administrator.

Adjourned: 4:35 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: January 22, 2003, 3:05 p.m.

Members Present: McKibben, Chair; Warnstadt, Ranking Member; Beall and Kettering.

Members Absent: Lamberti, Vice Chair (excused).

Committee Business: Presentation by the Department of Transportation.

Adjourned: 4:15 p.m.

COMMERCE

Convened: January 23, 2003, 1:10 p.m.

Members Present: Angelo, Chair; Wieck, Vice Chair; Warnstadt, Ranking Member; Beall, Bolkcom, Brunkhorst, Kettering, Redfern, and Stewart.

Members Absent: Behn, Gronstal, Larson, McCoy, Schuerer, and Sievers (all excused).

Committee Business: Subcommittee assignments.

Adjourned: 1:15 p.m.

EDUCATION

Convened: January 23, 2003, 2:05 p.m.

Members Present: Boettger, Chair; McKinley, Vice Chair; Angelo, Beall, Behn, Brunkhorst, Dvorsky, Holveck, Hosch, Kreiman, Larson, Quirnbach, Redfern, and Rehberg.

Members Absent: Connolly, Ranking Member (excused).

Committee Business: Presentation by David Palmer, DMACC, and other community college representatives.

Adjourned: 2:55 p.m.

HUMAN RESOURCES

Convened: January 23, 2003, 10:45 a.m.

Members Present: Veenstra, Chair; Seymour, Vice Chair; Ragan, Ranking Member; Behn, Boettger, Hatch, Holveck, Horn, Hosch, Kreiman, McKinley, and Tinsman.

Members Absent: Schuerer (excused).

Committee Business: Adoption of rules and subcommittee assignments.

Adjourned: 10:50 a.m.

LOCAL GOVERNMENT

Convened: January 23, 2003, 9:45 a.m.

Members Present: Gaskill, Chair; Quirnbach, Ranking Member; Angelo, Hatch, Hosch, Houser, McCoy, Rehberg, Seymour, Stewart, and Wieck.

Members Absent: Miller, Vice Chair; and Kreiman (both excused).

Committee Business: Presentation regarding the Help America Vote Act.

Adjourned: 10:35 a.m.

STATE GOVERNMENT

Convened: January 23, 2003, 9:45 a.m.

Members Present: Zieman, Chair; Kibbie, Ranking Member; Black, Connolly, Courtney, Dearden, Drake, Johnson, Lamberti, Ragan, Schuerer, Shull, Tinsman, and Veenstra.

Members Absent: Sievers, Vice Chair (excused).

Committee Business: Presentation regarding the Help America Vote Act.

Adjourned: 10:35 a.m.

TRANSPORTATION

Convened: January 23, 2003, 10:40 a.m.

Members Present: Drake, Chair; Putney, Vice Chair; McCoy, Ranking Member; Beall, Dearden, Fraise, Houser, Johnson, Kettering, Rehberg, Shull, Warnstadt, and Ziemann.

Members Absent: None.

Committee Business: Presentation by Mark Wandro, Department of Transportation.

Adjourned: 11:10 a.m.

INTRODUCTION OF BILLS

Senate File 40, by Brunkhorst, a bill for an act relating to the issuance of free hunting licenses for antlerless deer, providing for the disposition of harvested deer meat to public institutions, and providing a penalty and for a repeal.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 41, by Miller, a bill for an act relating to property taxation by requiring funding for state mandates, modifying the regular program school foundation base percentage, limiting certain school district property tax levies, establishing an ending fund balance limitation for counties, relating to county levies for mental health, mental retardation, and developmental disabilities services, excepting school district revenue from taxes collected for tax increment financing districts, repealing certain property tax credits, modifying certain property tax credits to operate as exemptions and striking state reimbursement for the credits, modifying certain property tax exemptions, providing for an ad valorem tax on mobile homes and manufactured homes, making changes to the method of assessment of property, establishing an agricultural land reserve, establishing limits on taxes collectible by class of property and by taxpayer, and lowering the rate of interest charged on delinquent taxes, and providing for other properly related matters and including effective and applicability date provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

[Senate File 42](#), by Bolkcom and Lundby, a bill for an act allowing greater third party ballot access by redefining political party.

Read first time under Rule 28 and referred to committee on **State Government**.

[Senate File 43](#), by Warnstadt, Bolkcom, Stewart, Connolly, Dotzler, Beall, Courtney, Ragan, Kreiman, Holveck, Kibbie, and Gronstal, a bill for an act making changes in the elements of the criminal offense of identity theft.

Read first time under Rule 28 and referred to committee on **Judiciary**.

[Senate File 44](#), by Larson, a bill for an act creating a criminal offense of sexual exploitation by a school employee, and providing a penalty.

Read first time under Rule 28 and referred to committee on **Judiciary**.

[Senate File 45](#), by Larson, a bill for an act relating to the taxation of activities involving out-of-state qualified state tuition programs and including effective and retroactive applicability date provisions.

Read first time under Rule 28 and referred to committee on **Education**.

[Senate File 46](#), by Larson, a bill for an act relating to city and county ordinances allowing adoption of ordinances by petition and election.

Read first time under Rule 28 and referred to committee on **Local Government**.

[Senate File 47](#), by Larson, a bill for an act relating to the exclusion of certain nonprofit transitional housing from forcible entry and detainer actions and remedies.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 48, by Lamberti, a bill for an act relating to the criminal offense of indecent exposure, and providing a penalty.

Read first time under Rule 28 and referred to committee on **Judiciary**.

STUDY BILLS RECEIVED

SSB 1012 **Agriculture**

Relating to the powers and duties of the department of agriculture and land stewardship by providing for the elimination of administrative requirements.

SSB 1013 **Agriculture**

Relating to the Iowa agricultural development authority, by providing for administration, programs, and reporting.

SSB 1014 **Ethics**

Relating to the Senate Rules Governing Lobbyists and their interactions with the Senate and members of the Senate during the Eightieth General Assembly.

SSB 1015 **Ethics**

Relating to the Senate Code of Ethics governing the conduct of members of the Senate in relation to their senatorial duties during the Eightieth General Assembly.

SSB 1016 **Ways and Means**

Relating to a sales tax exemption for supplies for machinery, equipment, and computers.

SSB 1017 Local Government

Relating to formatting standards for recording documents or instruments by a county recorder, specifying a recording fee for certain documents or instruments, and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS**Senate File 38**

APPROPRIATIONS: Kramer, Chair; Tinsman and Warnstadt

SSB 1012

AGRICULTURE: Houser, Chair; Courtney and Putney

SSB 1013

AGRICULTURE: Johnson, Chair; Fraise and Hosch

SSB 1014

ETHICS: Drake, Chair; Kibbie and McKibben

SSB 1015

ETHICS: Drake, Chair; Kibbie and McKibben

SSB 1016

WAYS AND MEANS: McKibben, Chair; Connolly and Shull

SSB 1017

LOCAL GOVERNMENT: Houser, Chair; Kreiman and Rehberg